

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Advanced Television Systems)	MB Docket No. 87-268
and Their Impact Upon the)	
Existing Television Broadcast)	
Service)	
)	

To: The Commission

PETITION FOR LIMITED RECONSIDERATION

Brigham Young University (“BYU”), non-commercial licensee of KBYU-TV and KBYU-DT, Provo, Utah, by its attorneys and pursuant to Section 1.106 of the Commission’s regulations, hereby petitions for limited reconsideration of Appendix B of the *Seventh Report and Order and Eighth Further Notice of Proposed Rulemaking* in the above-captioned proceeding.¹

KBYU-DT currently is licensed with effective radiated power (“ERP”) of 346 kW and 1257 meters height above average terrain (“HAAT”) with antenna ID 32909. The current Appendix B values for KBYU-DT in the *Seventh Report and Order*, on the other hand, are 403 ERP and 1257 HAAT, with no antenna ID specified.

KBYU-DT had requested and was granted a construction permit (FCC File BPEDT-20060120ADA) to increase its ERP from 346 kW to 402.8 kW. At the same time, a correction to the KBYU-DT antenna pattern was implemented with the grant of the construction permit.

¹ *Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service*, MB Docket No. 87-268, *Seventh Report and Order and Eighth Further Notice of Proposed Rulemaking*, FCC 07-138, 22 FCC Rcd 15581 (rel. Aug. 6, 2007) (“*Seventh Report and Order*”).

As indicated in the attached technical statement, upon further examination BYU recently decided that the marginal benefits in coverage and signal strength do not outweigh the additional consequences (primarily additional power consumption, increased risk of component failure, and reduction of antenna power handling margin, etc.) of the ERP increase. Therefore, KBYU-DT will be canceling its construction permit and requests to establish its final ERP in Appendix B of the DTV allotment table at the current operating power of 346 kW. BYU also requests that Appendix B be revised to include the corrected antenna pattern from the construction permit, FCC Antenna ID #33209. The HAAT and geographic coordinates for KBYU-DT will remain the same as indicated in Appendix B of the *Seventh Report and Order*. In sum, the Appendix B values for KBYU-DT should be revised as indicated below:

	<u>Facility ID</u>	<u>DTV Channel</u>	<u>ERP</u>	<u>HAAT</u>	<u>Antenna ID</u>
Current Appendix B	6823	44	403	1257	
Proposed Appendix B	6823	44	346	1257	33209

Respectfully submitted,

Brigham Young University

/s/
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October 26, 2007

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October 25, 2007

This technical statement has been prepared to support the request contained in the Petition for Reconsideration for KBYU-DT being submitted in MB Docket No. 87-268.

On an earlier application, FCC File BPEDT20060120ADA, KBYU-DT, requested and was granted a construction permit to increase its Effective Radiated Power (ERP) from 346 kW to 402.8 kW and at the same time, a correction to the antenna pattern was implemented. Upon further examination, the marginal benefits in coverage and signal strength have been considered and it has been decided that they do not outweigh the additional consequences (primarily additional power consumption, increased risk of component failure, and reduction of antenna power handling margin, etc.) of the ERP increase. Therefore, KBYU requests to establish its final ERP in the DTV allotment table at the operating power of 346 kW. The HAAT for KBYU-DT will remain the same as indicated in Appendix B of the Seventh Report and Order in MB Docket No. 87-268, FCC 07-138.

It is also important to implement the correction to the antenna pattern for any future impact to the protected area and for executing proper interference analyses. Indicated below are the correct antenna FCC ID number and the relevant azimuth pattern for the antenna to be associated with the allocation.

FCC ANTENNA ID #33209

Beam tilt of 1.5 degrees below the horizon.

ANGLE	EFFECTIVE FIELD
0.0	0.786
10.0	0.957
20.0	0.981
30.0	0.907
40.0	0.846
50.0	0.761
60.0	0.636
70.0	0.469
80.0	0.444
90.0	0.514
100.0	0.451
110.0	0.464
120.0	0.644
130.0	0.787
140.0	0.892
150.0	0.935
160.0	0.952
170.0	0.925
180.0	0.820
190.0	0.610
200.0	0.532
210.0	0.625
220.0	0.567
230.0	0.451
240.0	0.609
250.0	0.807

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260.0	0.885
270.0	0.899
280.0	0.968
290.0	0.958
300.0	0.793
310.0	0.562
320.0	0.600
330.0	0.743
340.0	0.684
350.0	0.602

Respectfully submitted,

 P.E.
President